

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1340

OSCAR HUMBERTO ESCOBAR SUAREZ,

Petitioner,

versus

JOHN ASHCROFT, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A79-496-328)

Submitted: June 16, 2004

Decided: July 7, 2004

Before WIDENER, NIEMEYER, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Oscar Humberto Escobar Suarez, Petitioner Pro Se. Michele Yvette Francis Sarko, M. Jocelyn Lopez Wright, Gloria Minor, Michelle Elizabeth Gorden, Daniel Eric Goldman, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Oscar Humberto Escobar Suarez, a native and citizen of Columbia, petitions for review of an order of the Board of Immigration Appeals ("Board") dismissing the appeal from the immigration judge's decision denying his applications for asylum, withholding of removal, and withholding under the Convention Against Torture. We have reviewed the administrative record, the Board's order and the immigration judge's decision, and find substantial evidence supports the conclusion that Suarez failed to establish the past persecution or well-founded fear of future persecution necessary to establish eligibility for asylum. See 8 C.F.R. § 1208.13(a) (2004) (stating that the burden of proof is on the alien to establish eligibility for asylum); INS v. Elias-Zacarias, 502 U.S. 478, 483 (1992) (same). We will reverse the Board only if the evidence "'was so compelling that no reasonable fact finder could fail to find the requisite fear of persecution.'" Rusu v. INS, 296 F.3d 316, 325 n.14 (4th Cir. 2002) (quoting Elias-Zacarias, 502 U.S. at 483-84). We do not find the record so compelling as to reverse the Board. We further find no error in the denial of relief under the Convention Against Torture.

We deny Suarez's petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED